



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

NOV 09 2016

CERTIFIED MAIL 7011 3500 0003 2064 3841
RETURN RECEIPT REQUESTED

Mr. Mark D. Schwabero
Chief Executive Officer
Brunswick Corporation
1 North Field Court
Lake Forest, Illinois, 60045-4811

Re: Information Request Pursuant to Section 308 of the Clean Water Act (CWA), 33 U.S.C. § 1318, for Hammer Strength, located in the City of Falmouth, Pendleton County, Kentucky

Dear Mr. Schwabero:

The purpose of this letter is to inform you that the U.S. Environmental Protection Agency Region 4, is currently investigating Brunswick Corporation's Hammer Strength facility (Facility) located at 188 Hammer Drive, Falmouth, in Pendleton County, Kentucky, for compliance with the requirements of Sections 301 and 307(d) of the Clean Water Act (CWA), 33 U.S.C. §§ 1311 and 1317(d); the regulations promulgated thereunder at 40 C.F.R. Part 403 and the Commonwealth of Kentucky pretreatment regulations at 401 KAR 5:057.

Therefore, pursuant to Section 308 of the CWA, 33 U.S.C. § 1318, the EPA hereby requests that the Facility provide the information set forth in Enclosure A within twenty-one (21) calendar days of your receiving this letter. The Facility's response should be submitted to:

Mr. Dennis Sayre
U.S. Environmental Protection Agency, Region 4
NPDES Permitting and Enforcement Branch
Atlanta Federal Center (MC 9T25)
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

Failure to provide a full and complete response to this information request or to adequately justify a failure to respond within the time frame specified above may result in an EPA enforcement action pursuant to federal law, including, but not limited to Section 309 of the Clean Water Act, 33 U.S.C. § 1319, and 18 U.S.C. § 1001.

If Brunswick Corporation believes that any of the requested information constitutes confidential business information, it may assert a confidentiality claim with respect to such information, except for effluent data. Further details, including how to make a business confidentiality claim, are found in Enclosure B.

All information submitted in response to this information request must be accompanied by the following certification that is signed by a duly authorized official in accordance with 40 C.F.R. § 403.12(l):

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

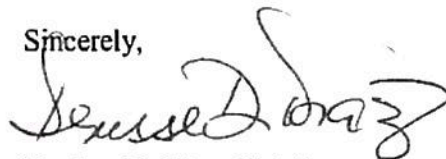
Please be aware that the EPA may use information in response to this information request in any enforcement proceeding related to this matter.

Enclosed is a document entitled *U.S. EPA Small Business Resources-Information Sheet* to assist Brunswick Corporation in understanding the compliance assistance resources and tools available. Any decision to seek compliance assistance at this time, however, does not relieve Brunswick Corporation of its obligation to the EPA nor does it create any new rights or defenses and will not affect the EPA's decision to pursue enforcement action.

In addition, the Securities and Exchange Commission (Commission) requires its registrants to periodically disclose environmental legal proceedings in statements filed with the Commission. To assist the Facility, the EPA has also enclosed a document entitled *Notice of Securities and Exchange Commission Registrants' Duty to Disclose Environmental Legal Proceedings*.

The EPA appreciates your prompt attention to this matter. Should you have any questions regarding this letter, please contact Mr. Dennis Sayre at (404) 562-9756. Legal inquiries should be directed to Mr. William Bush, Associate Regional Counsel, at (404) 562-9538.

Sincerely,



Denisse D. Diaz, Chief
NPDES Permitting and Enforcement Branch
Water Protection Division

Enclosures

cc: Ms. Sara Beard
Kentucky Department for Environmental Protection

ENCLOSURE A

INFORMATION REQUEST PURSUANT TO SECTION 308 OF THE CLEAN WATER ACT

Instructions

1. Identify the person(s) responding to this Information Request.
2. Please provide a separate narrative response to each question and subpart of a question set forth in this Information Request.
3. Precede each answer with the text and the number of the question and its subpart to which the answer corresponds.
4. All documents submitted must contain a notation indicating the question and subpart of the question to which they are responsive.
5. In answering each Information Request question and subpart thereto, identify all documents and persons consulted, examined or referred to in the preparation of each response, and provide true and accurate copies of all such documents.
6. If information not known or not available to you as of the date of submission of a response to this Information Request should later become known or available to you, you must supplement your response to the EPA. Should you find at any time after the submission of your response that any portion of the submitted information is false or misrepresents the truth, you must notify the EPA as soon as possible.
7. For each document produced in response to this Information Request, indicate on the document, or in some other reasonable manner, the number of the question to which it responds.
8. Where specific information has not been memorialized in a document, but is nonetheless responsive to a question, you must respond to the question with a written response.
9. If information responsive to this Information Request is not in your possession, custody or control, then identify the person from whom such information may be obtained.
10. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any question or who may be able to provide additional responsive documents, identify such persons and the additional information or documents that they may have.
11. The EPA requests that all documents provided in an electronic format be compatible with pdf.
12. The EPA requests that all spreadsheet information be in an electronic format and compatible with MS Excel.

13. If any question relates to activities undertaken by entities other than the recipient of this Information Request, and to the extent that you have information pertaining to such activities, provide such information for each entity.

Definitions

1. All terms not defined herein shall have their ordinary meanings, unless such terms are defined in the Clean Water Act or its implementing regulations, in which case the statutory or regulatory definitions shall control.
2. Words in the masculine may be construed in the feminine if appropriate, and vice versa, and words in the singular may be construed in the plural if appropriate, and vice versa, in the context of a particular question or questions.
3. The terms “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of this Information Request any information which might otherwise be construed outside its scope.
4. The term “Identify” means, with respect to a natural person, to set forth the person’s name, present or last known business address and business telephone number, present or last known home address and home telephone number, and present or last known job title, position or business.
5. The term “Identify” means, with respect to a document, to provide its customary business description; its date; its number, if any (invoice or purchase order number); the identity of the author, addressee and/or recipient; and substance of the subject matter.
6. The term “Identify” means, with respect to a corporation, partnership, business trust or other association or business entity (including a sole proprietorship), to set forth its full name, address, legal form (e.g., corporation, partnership, etc.), organization, if any, and a brief description of its business.
7. The term “Facility” means Brunswick Corporation’s Hammer Strength facility located at 188 Hammer Drive, Falmouth, in Pendleton County, Kentucky.
8. The term “you” and “your” shall mean Brunswick Corporation.
9. The term “Permit” shall mean an industrial user permit issued to the Facility by the Control Authority.
10. “Control Authority” shall have the meaning set forth in 40 C.F.R. § 403.3(f).

Questions

1. Identify the names and addresses of the current owner(s) of the Facility. Specify the legal name with the exact spelling of each owner. Specify the state of incorporation and principal place of business for each corporate owner. If incorporated, provide the name and mailing address of the registered agent. Additionally, provide a copy of the deed(s) of ownership of the Facility.
2. Identify the parent corporation and all subsidiaries of Brunswick Corporation.
3. If the Facility has applied for and/or received a Permit for wastewater discharges, then provide a timeline of the wastewater permitting history for the Facility from Brunswick Corporations initial date of acquisition of the Facility to present, including:
 - a. the date(s) that Permit applications were either requested by the Control Authority or submitted by the Facility;
 - b. the date(s) that draft or final Permit(s) were received by the Facility; and
 - c. the date(s) that comments on such draft(s) were submitted to the Control Authority.

If the Facility has never received a Permit for the discharge of process wastewaters to a publicly owned treatment works, then please explain this in the response.

4. Provide complete copies of all communication to or from the Control Authority, and to or from the public sewer utility, from October 1, 2011, to present which concerns the Facility's process wastewater discharge(s). This information should be organized in chronological order with a table of contents. Communication that only regards water/sewer service billing or payment can be excluded.
5. Provide current schematics of the Facility property identifying the physical boundaries, the individual operational areas, and the process wastewater sources within each production area.

Include a separate schematic identifying the pathway(s) of process wastewaters, the pathway(s) of non-process wastewaters, any in-line valves/storage/appurtenances, and any points of combining flows, beginning from the source(s) of the flow to the termination points at public sewers or other locations. Include a flow balance on this schematic identifying the current average daily flow rates of process wastewater and non-process wastewater during production. Identify the rate at each originating source, prior to each point of combining flows, and at each point of flow termination or storage. Identify the originating processes for the flows, the means of disposal at the termination points, the capacity and utilization of any storage, the flow rates in gallons per day, and whether each flow rate is measured or estimated.

6. Provide a timeline identifying the Facility's construction and narrative describing its production assets, their purpose and acquisition dates. Include the dates when the initial construction of the Facility began and when the initial discharge of process wastewater to the public sewer began.

7. Provide a detailed discussion of the Facility's products and production processes, referencing the process source schematic provided for the production areas in item #5 above. Include the raw materials used, their preparation and their combination including, but not limited to:
 - a. Any physical/chemical preparation of the materials used, such as metal plating or powder coating, and if that is performed on-site;
 - b. Any wastewater treatment or capture devices used during the production process and their date(s) of installation.
8. Provide the date at which the Facility started discharging process wastewater to a publicly owned treatment plant, and if required, the dates that the Facility reported, and to whom the Facility reported, pursuant to 40. C.F.R. § 403.12(b) and (d).
9. Provide all wastewater monitoring data collected by, or under contract to, the Facility from October 1, 2011 to present. The EPA prefers that such data be provided as a summary in an electronic spreadsheet format compatible with MS Excel. Present the data for laboratory-tested samples separately from data for flow, pH, temperature and other field- or continuously-monitored parameters. Include the following for each data point:
 - a. Parameter monitored;
 - b. Date monitored (month/day/year);
 - c. Analytical result;
 - d. Units;
 - e. Analytical method;
 - f. Sample type (grab, time-proportional composite, or flow-proportional composite)
 - g. Flow recorded at the time of monitoring;
 - h. Sampling location; and
 - i. Flow monitoring location.

Analytical methods need only be provided for laboratory analyses; for flow, pH, temperature and other field- or continuously-monitored parameters, identify the testing equipment used and their calibration frequencies. For flow monitoring data, only (a), (b), (c), (d), and (i) need to be provided. Location descriptions for (h) and (i) should be identifiable on the schematics provided in item #5 above.

10. Provide a copy of any inspection reports, notices of violations, administrative orders, cease and desist orders, and any related correspondence from local, State or federal agencies related to the process wastewater discharge from the Facility from October 1, 2011 to present.

ENCLOSURE B

RIGHT TO ASSERT BUSINESS CONFIDENTIALITY CLAIMS

(40 C.F.R. Part 2)

Except for effluent data, you may, if you desire, assert a business confidentiality claim as to any or all of the information that the EPA is requesting from you. The EPA regulation relating to business confidentiality claims is found at 40 C.F.R. Part 2.

If you assert such a claim for the requested information, the EPA will only disclose the information to the extent and under the procedures set out in the cited regulations. If no business confidentiality claim accompanies the information, the EPA may make the information available to the public without any further notice to you.

40 C.F.R. § 2.203(b). **Method and time of asserting business confidentiality claim.** A business which is submitting information to the EPA may assert a business confidentiality claim covering the information by placing on (or attaching to) the information, at the time it is submitted to the EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential." Allegedly confidential portions of otherwise non-confidential documents should be clearly identified by the business, and may be submitted separately to facilitate identification and handling by the EPA. If the business desires confidential treatment only until a certain date or until the occurrence of a certain event, the notice should so stat

